

**AGENDA**  
**WILLIAMSTOWN BOARD OF SELECTMEN**  
**August 12, 2013**  
**7:00 P.M.**



**1. CHAIRMAN'S OPENING STATEMENT**

**2. SELECTMEN'S MINUTES:** July 22, 2013

**3. LICENSES AND PERMITS**

- A. Application for Common Victualer License Tony's Sombrero, 69 Spring Street
- B. Application for Common Victualer License and Background Music Permit Scott Pae, d/b/a Korea House
- C. Set Public Hearing Date and Time for Application for Transfer of Wine and Malt Beverage Restaurant License from Nancy Nguyen, d/b/a Saigon Vietnamese Cuisine, 66 Spring Street to Scott Pae, d/b/a Korea House, Scott Pae, Manager

**4. ITEMS FOR SELECTMEN'S CONSIDERATION**

- A. Request for Cemetery Plot
- B. Collaboration with Higher Ground, Williamstown Elderly Housing Corporation, Berkshire Housing Corporation, and Women's Institute for Housing and Economic Development on Affordable Housing
- C. Request to Conservation Commission to release portion of Burbank and Lowry Properties
- D. Agreement with Morgan MHP Mass., LLC to acquire The Spruces Manufactured Housing Community
- E. Attorney General Martha Coakley Letter of Acknowledgement
- F. Alcohol Beverage Compliance Checks
- G. Accept Resignation Mary Kavanaugh from the Cable Advisory Committee
- H. Water and Sewer Warrant - \$140,857.60
- I. Open Meeting Law Complaint

**5. TOWN MANAGER'S REPORT**

**6. PETITIONER'S REQUEST**

**7. OTHER BUSINESS**

**8. ADJOURN**

**Next Selectmen Meeting – Monday, September 9, 2013 at 7 p.m.**

**MINUTES**  
**WILLIAMSTOWN BOARD OF SELECTMEN**  
**August 12, 2013**  
**7:00 P.M.**

**Present:** Jane B. Allen, Chairman, Thomas E. Sheldon, David A. Rempell, Ronald Turbin, Jane Patton

**Others Present:** Carl Davis, Bilal Ansari, Susan Puddester, Cathy Yamamoto, Harold Brotzman, David Mangun, Tela Zasloff, Peter Fohlin, Kathy Poirot

- 1. CHAIRMAN'S OPENING STATEMENT** – Ms. Allen read aloud a letter from Bill Stinson, dated August 5, 2013, who expressed gratitude and appreciation for work completed recently by the public works employees on the road and two culverts near his farm. He felt that the public works employees should be recognized for their skills and flexibility and sensitivity to the needs of his farm. (letter is located in the Town Manager's office)

Ms. Allen also announced that Debby Dane had asked her to share WilliNet and Time Warner Cable's Digital Conversion and its effect on local programming. She said Time Warner made a technical change to their signal on July 23<sup>rd</sup> by converting its signal to digital-only broadcast affecting whether the a TV receives WilliNet and what channel it can be seen on. (instructions and further explanation can be found on [www.williamstown.net](http://www.williamstown.net))

Ms. Allen also announced that after raising \$550,000, the Sand Springs Recreational Center Board has opened their pool. She said while it was absolutely a group effort, Board President Janette Dudley's worked tirelessly to see the project through. Ms. Patton added that the Samuelson Swim Academy was formed to provide lessons from qualified life guards and that during the weeks of August 26 and September 2 the Center will feature Olympic Gold Medalist Swimmer Samantha Arsenault who will teach group lessons. They have also formed an "Everybody Into the Pool Fund" in order to offer free and subsidized rates to families who qualify to provide swim lessons. Ms. Patton thanked Craig Pedercini and Sand Springs Water in helping to fill the pool.

- 2. SELECTMEN'S MINUTES:** July 22, 2013 – Mr. Turbin moved to approve the July 22, 2013 minutes. Mr. Rempell seconded and the motion carried 4-0-1. Ms. Patton abstained.

- 3. LICENSES AND PERMITS**

- A.** Application for Common Victualer License Tony's Sombrero, 69 Spring Street – Mr. Turbin moved to approve a Common Victualer License for Tony's Sombrero, 69 Spring Street. Ms. Patton seconded and the motion carried 5-0-0.
- B.** Application for Common Victualer License and Background Music Permit Scott Pae, d/b/a Korea House, 66 Spring Street – Mr. Rempell moved to approve a Common Victualer License and Background Music Permit for Scott Pae, d/b/a Korea House. Mr. Sheldon seconded and the motion carried 5-0-0.

- C. Set Public Hearing Date and Time for Application for Transfer of Wine and Malt Beverage Restaurant License from Nancy Nguyen, d/b/a Saigon Vietnamese Cuisine, 66 Spring Street to Scott Pae, d/b/a Korea House, Scott Pae, Manager – Mr. Rempell moved to set a public hearing for an application from Scott Pae, d/b/a Korea House, for a transfer of a Wine and Malt Beverage Restaurant License from Nancy Nguyen, d/b/a Saigon Vietnamese Cuisine at 66 Spring Street on September 9, 2013 at 7:05 p.m. Mr. Sheldon seconded and the motion carried 5-0-0.

#### **4. ITEMS FOR SELECTMEN'S CONSIDERATION**

- A. Request for Cemetery Plot – Carl Davis, a Williams College graduate '62, requested two burial plots at Westlawn or Eastlawn Cemetery. Mr. Davis' father, and two children are Williams' graduates as well. Mr. Rempell moved to approve Mr. Davis' request for two burial plots at Westlawn Cemetery. Mr. Turbin seconded and the motion carried 5-0-0.
- B. Collaboration with Higher Ground, Williamstown Elderly Housing Corporation, Berkshire Housing Corporation, and Women's Institute for Housing and Economic Development on Affordable Housing – Mr. Rempell recused himself during this discussion and votes taken. Ms. Allen read from her notes – After the College announced the gift of land adjacent to Proprietor's Field to create a collaborative affordable housing project, many people began to ask if it were possible for the project to house residents of the Spruces and if FEMA grant money could be used toward the project. What people saw was an affordable housing project that already had a site and two developers and the potential of this happening sooner rather than later. What she has learned as a member of the Long Term Coordinating Committee/Spruces Roof Group is that projects do not happen over-night and affordable housing projects are highly dependent on federal and state funding. Realizing our commitment as a Board, and under the Uniform Relocation Act, our mandate as a Board, to find comparable housing for residents of the Spruce, Ms. Allen began to inquire about the possibility of bringing town support to the Southworth/Higher Ground Project and if such support would be helpful to the Project. The answer from the developers was a resounding "yes." On Thursday, August 8, Ms. Allen and Mr. Fohlin met with representatives of the four entities involved in the project to further discuss the possibility. Those in attendance were Mollye Walahan (Women's Institute for Housing and Economic Development), Elton Ogden (Berkshire Housing Corp.), Cathy Thompson, (Vice President of the Board of The Williamstown Elderly Housing Corp.), and via speaker phone, Bilal Ansari (Higher Ground Chairman). The significance of the meeting was that it proceeds a week of meetings of all of the boards and committees involved in affordable housing. This week: Monday – Selectmen; Tuesday – Affordable Housing Committee; Wednesday – Affordable Housing Trust Board and next week: Monday – Higher Ground; Monday – Spruces Roof Group. It is the hope that each of these boards/committees will discuss the possibility of such a collaboration so that the idea can be presented to the Undersecretary of the Mass. Dept. for Housing and Community Development Aaron Gornstein when he comes to Williamstown on August 22 at the invitation of Affordable Housing Chairman Cathy Yamamoto and Affordable Housing Trust Board Chairman Stan Parese. Mr. Turbin moved to endorse and encourage collaboration with Higher Ground, Williamstown Elderly Housing Corporation, Berkshire Housing Corporation, The Women's Institute for Housing and Economic Development on Affordable Housing, Town Boards and Committees and community groups. Mr. Sheldon seconded and the motion carried 4-0.

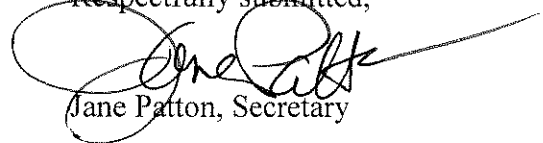
- C. Request to Conservation Commission to release portion of Burbank and Lowry Properties – Mr. Rempell recused himself from the discussion and vote. Ms. Allen respectfully asked that the Board withdraw its request to the Conservation Commission to release portions of the Burbank and Lowry properties in order to focus on the FEMA grant and the collaboration with other affordable housing projects. She said the controversy surrounding those properties are detracting from the Town's efforts to move forward in the development affordable housing. She suggested that the Board put its time and energy into projects that will get us where we want to be, referencing the possibility of a collaboration with the group of non-profits that are aiming to develop a parcel, donated by Williams College, at the end of Southworth Street. Mr. Turbin endorsed Ms. Allen's request. He said that the controversy of developing Burbank and Lowry have been a distraction and have dis-unified the community. Ms. Patton also agreed that the Board should do this in the interest of time but she is troubled that this problem will continue to surface. She questioned if it's the right decision to withdraw the request when a group that has been disruptive enough causes the Board to "back off." Mr. Sheldon said we should resolve this request without prejudice because there some unresolved questions. He said the Board should know the status of those properties. Mr. Mangun and Mr. Ansari questioned if the Conservation Commission would continue to move ahead to determine the status of the properties. Ms. Puddester questioned what would be gained by the Board's withdrawal of its request. Mr. Fohlin said the Con Comm may continue or choose not to make their evaluation. Mr. Bonenti said that by the Board's taking this off the table, this issue will continue to come up again and again. If there is a way for the Con Comm to get clarity on the properties, it would serve us well. Ms. Zasloff thanked Ms. Allen for making a wise decision. Mr. Turbin moved that the Board of Selectmen withdraw its request to the Conservation Commission to release portions of the Burbank and Lowry properties. Ms. Allen seconded and the motion carried 3-1. Mr. Sheldon opposed.
- D. Agreement with Morgan MHP Mass., LLC to acquire The Spruces Manufactured Housing Community – Mr. Fohlin said the Town has reached an agreement on a memorandum of understanding with Morgan Management. He offered the draft document for approval by the Selectmen and asked that they sign it. He said that once Morgan Management signs the Agreement, they will be required to send notification to the residents of the Spruces Mobile Home Park, bringing the Town closer to the acquisition of the Park. (Agreement has been posted on the Town's website at [www.williamstown.net](http://www.williamstown.net)) Mr. Sheldon moved that the Board approve and sign the Agreement. Mr. Rempell seconded and the motion carried 5-0-0.
- E. Attorney General Martha Coakley Letter of Acknowledgement – Mr. Turbin moved that Chairman Allen will draft the requested letter. Ms. Patton seconded and the motion carried 5-0-0.
- F. Alcohol Beverage Compliance Checks – Ms. Allen noted that alcohol compliance checks were conducted on July 29, 2013. Of the 31 establishments holding alcohol licenses, 21 that were checked had passed and 10 were closed. Ms. Allen noted the 100% compliance.
- G. Accept Resignation Mary Kavanaugh from the Cable Advisory Committee – Mr. Rempell moved to accept the resignation of Mary Kavanaugh from the Cable Advisory Committee. Mr. Sheldon seconded and the motion carried 5-0-0. Ms. Allen

announced that with Ms. Kavanaugh's resignation, the Cable Advisory Committee currently has no members. Anyone interested in serving on this committee should submit a Citizens Activity form to the Town Manager's office.

- H. Water and Sewer Warrant - \$140,857.60 – Mr. Rempell moved to approve the water and sewer warrant in the amount of \$140,857.60. Mr. Turbin seconded and the motion carried 5-0-0.
- I. Open Meeting Law Complaint – An Open Meeting Law complaint against the Board of Selectmen was filed by Kenneth Swiatek on January 22, 2013. The Attorney General's office sent a determination letter to Town Counsel Brian Riley resolving the complaint. Ms. Allen read aloud the August 1, 2013 letter from the Attorney General's office that stated "Following our review, we find that the Board did not violate the Open Meeting Law." (August 1, 2013 letter from the Office of the Attorney General is on file in the Town Manager's office)

- 5. **TOWN MANAGER'S REPORT** - attached or at [www.williamstown.net](http://www.williamstown.net)
- 6. **PETITIONER'S REQUEST** – Cathy Yamamoto inquired if the Latham Street culvert replacement would have any impact on the Town's 59 Water Street property. Mr. Fohlin said that the project allows the Town to do its part to alleviate flooding on Latham Street and will have no impact on the property.
- 7. **OTHER BUSINESS** – Mr. Turbin said the Williamstown Farmer's Market, held on Saturdays from 9 am to 1 pm, is in full swing.
- 8. **ADJOURN** – Mr. Turbin moved to adjourn at 9 p.m. Ms. Patton seconded and the motion carried 5-0-0. The next Selectmen Meeting is Monday, September 9, 2013 at 7 p.m.

Respectfully submitted,



Jane Patton, Secretary